

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

LONNIE BILLARD,

Plaintiff,

v.

CHARLOTTE CATHOLIC HIGH SCHOOL,
MECKLENBURG AREA CATHOLIC
SCHOOLS, and ROMAN CATHOLIC
DIOCESE OF CHARLOTTE

Defendants.

Civil Action No. 3:17-cv-0011

**JOINT MOTION FOR ENTRY OF STIPULATED JUDGMENT AND
DEFERRAL OF PETITION FOR COSTS AND FEES**

Plaintiff Lonnie Billard (“Plaintiff”) and Defendants Charlotte Catholic High School, Mecklenburg Area Catholic Schools, and Roman Catholic Diocese of Charlotte (“Defendants”) respectfully submit this motion for entry of a stipulated judgement of damages in the amount of \$55,000 and for an order pursuant to Federal Rule of Civil Procedure 54(d)(1) deferring the filing of Plaintiff’s bill of costs, petition for fees, and calculation of post-judgment interest until the exhaustion of any appeals. In support of the motion, the Parties state the following:

1. In this case, Plaintiff alleges that he was terminated from employment because he announced plans to marry his same-sex partner, in violation of Title VII.
2. On September 3, 2021, this Court entered an order (D.E. 69) denying Defendants’ motion for summary judgment (D.E. 29) and granting Plaintiff’s motion for summary judgment with respect to liability under Title VII (D.E. 26) (the “summary judgment decision”).
3. On September 28, 2021, this court scheduled a hearing on April 18, 2022, for a bench trial with respect to damages.
4. The parties have agreed to stipulate to entry of final judgment in the amount \$55,000, not including costs, attorney’s fees, or post-judgment interest.

5. After entry of final judgment, Defendants intend to, and reserve their right to, appeal the Court's summary judgment decision (and any prior decision from this Court) to the U.S. Court of Appeals for the Fourth Circuit and, if necessary, to the Supreme Court. *See, e.g., Sprint Nextel Corp. v. Wireless Buybacks Holdings, LLC*, 938 F.3d 113, 124 (4th Cir. 2019).

6. That is, by stipulating to entry of judgment in the amount of \$55,000, Defendants do not waive any right to appeal the Court's summary judgment decision or any prior decision of the court. *See, e.g., id.* at 124.

7. The Parties agree that interests of judicial economy would be best served by deferring the filing of Plaintiff's bill of costs, petition for fees, and calculation of post-judgment interest until after the resolution of all appeals, including to the Supreme Court.

WHEREFORE, the Parties move the Court for an order:

- A. Entering judgment for damages in the amount of \$55,000 in the form attached hereto as Exhibit A.
- B. Deferring the filing of Plaintiff's bill of costs, petition for attorney's fees, and calculation of post-judgment interest pursuant to Federal Rule of Civil Procedure 54(d)(1) until 30 days after the expiration of the deadline to appeal or after final resolution of all appeals, whichever is later.

Respectfully submitted this 25th day of February, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed a copy of forgoing document with the Clerk of Court using the CM/ECF system. All participants in the case are registered CM/ECF users and are hereby served through the CM/ECF system.

Dated: February 25, 2022

/s/ S. Luke Largess
S. Luke Largess